

COMBINED DECLARATION AND POWER OF ATTORNEY

I, David T. Curiel, hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled, *Capsid-Modified Recombinant Adenovirus and Methods of Use*; the specification of which is attached hereto and which claims the benefit of priority under 35 U.S.C. 120 of pending non-provisional U.S. Serial No. 10/424,409, filed April 28, 2003, which is a divisional of U.S. Serial No. 09/668,791, filed September 22, 2000, now issued as USPN 6,555,368, which claims benefit of priority under 35 U.S.C. 119(e) of U.S. provisional application 60/156,104, filed September 24, 1999, now abandoned.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a), including information which became known to me between the filing date of the prior application and the national or PCT international filing date of this continuation-in-part patent application.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Dr. Benjamin Adler, Registration No. 35,423. Address all telephone calls to Dr. Benjamin Adler at telephone number 713/270-5391. Address correspondence to Dr. Benjamin Adler, ADLER & ASSOCIATES, 8011 Candle Lane, Houston, TX 77071.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: David T. Curiel

Inventor's Signature: [Signature]

Date: 9/22/03

Residence Address: 824 Linwood Road, Birmingham, AL 35222

Citizen of: United States of America